

**REMARKS**

Claims 1-9 and 11-22 remain in this application. Applicant respectfully requests that this amendment be entered because it places the application in condition for allowance, or in the alternative, it simplifies the issues on appeal.

Applicant appreciates the indication that the drawings filed on June 11, 2003 are accepted. Applicant appreciates the acknowledgment of Applicant's claim for foreign priority under 35 U.S.C. §119(a)-(f) and that all of the certified copies of the priority documents have been received.

Applicant appreciates the Office Action's comments in the "Response to Arguments" section. It seems that the Office Action has chosen to define the language of the claims, specifically "broadcast protocol," in a manner which is at variance with applicant's understanding of the term in the art and at variance with the definition of the term in the application. The application at page 6, lines 28+, describes the system illustrated in Figure 1 as having "five target platforms. . . each employing a different broadcast network, i.e., NCI DTV Navigator 20, OpenTV, digital TV 21, MHEG-5 22, WebTV/WinCE 23 and PowerTV 24."

These different broadcast networks are described as follows: "Each broadcast network 20-25 has a respective different broadcast protocol." Because of these multiple different broadcast protocols, the invention provides a Broadcast System Interface (BSI) 26 in order to convert the executable program files, bitmaps, sound samples, real-time data instructions, video clips, etc., to be transmitted by the broadcast network, into the broadcast protocol of each target platform. This is accomplished by different techniques of data conversion, selection, timing changes and adapting to different data transmission mechanisms. See specification, pages 7, 8 and 9.

Claims 1-5, 7-9, 11, 14 and 18 were rejected under 35 U.S.C. §102(e) as being anticipated by *McNeill et al* (U.S. 6,421,706).

Applicant respectfully traverses.

Applicant takes issue with the office action's suggestion that *McNeill et al* discloses a method of delivering an interactive application to a plurality of target platforms "constituted by different broadcast networks." *McNeill et al* discloses a single network, i.e., the Internet.

As is seen in Figure 2, video data is supplied to different web pages. All these pages are part of a single network, the Internet.

The office action also suggests that the bit rate encoders 207 and 208 of *McNeill et al* cause the conference data to be transmitted using different broadcast protocols. There is a fundamental difference (a difference of kind) between "broadcast protocol," as used in the claims and in the specification and "bit rates, as is used in *McNeill et al*. A single broadcast network, (the Internet) and a single broadcast protocol is used in *McNeill et al*. The single broadcast protocol is typically MPEG-4. However, it is possible that remote users will have web browsers with different capabilities. Therefore, the data must be transmitted at different bit rates to accommodate the different browsers. These different bit rates do not constitute different broadcast protocols. The different bit rates use the same broadcast protocol, i.e., MPEG-4.

Applicant respectfully requests that this rejection be withdrawn.

Claims 1-5, 7, 8-11, 8-9, 11, 14, 18 and claims 6, 12-13, 15-17, 19-22 are all rejected under 35 U.S.C. §103(a) as unpatentable over *Travaille et al* (U.S. 6,067,107) in view of *Agraharam et al* (U.S. 6,389,471) and further in view of *McKeown et al* (U.S. 6,287,199).

Applicant respectfully traverses.

The Office Action expressly agrees that *Travaille et al* does not disclose broadcast networks operating at respectively different broadcast protocols. The office action relies on *Agraharam et al* for a teaching of a system that has broadcast networks operating at respectively different broadcast protocols, and suggests the combination of *Agraharam et al* and *Travaille et al*.

*Agraharam et al* explicitly teaches away from such a combination. *Agraharam et al* addresses the problem of how to present web page information which has been provided on the Internet 102 to terminals 104 which are unable to respond to HTML data. *Agraharam et al* solves this problem by providing the communications server 308 which transcodes the presentation of HTML pages into MPEG-2 format, the resulting bit streams being pushed to the broadcast channels 310.

This transcoding procedure of *Agraharam et al* results in the conversion of the HTML information to a non-interactive format. As *Agraharam et al* sets forth in column 3, lines 9-11, it is the presentation of HTML pages which is transcoded. This procedure is the same as if a camera took pictures of the HTML pages and the resultant pictures are then transmitted to the terminals 104. These pictures are clearly non-interactive.

The teaching of *Agraharam et al* is that where terminals exist which cannot successfully receive web page information, that information should be transcoded into a non-interactive format for supply to the terminals.

The combination of *Agraharam et al* and *Travaille et al* is improper, because such a combination would destroy the interactive feature disclosed by *Travaille et al*. Using the conversion mechanism of *Agraharam et al*, the transcoding process, would create non-interactive transmissions in *Travaille et al*.

Applicant respectfully requests that this rejection be withdrawn.

In light of the above remarks, Applicant believes that all the claims in the application are in condition for allowance and respectfully requests that they be allowed and this application passed to issue.

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Respectfully submitted,

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